

The Honorable Ronald B. Leighton

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CLAIR R. COUTURIER, JR.

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WASHINGTON

ELAINE L. CHAO, SECRETARY OF
LABOR, UNITED STATES
DEPARTMENT OF LABOR,
Petitioner,

Case Number: MC08-5052RBL

V.

CLAIR R. COUTURIER, JR., an
Individual,
Respondent

PROTECTIVE ORDER

On the Motion for Protective Order filed by Respondent Clair R. Couturier, Jr.

IT IS HEREBY ORDERED as follows:

Until further order of this Court, and except as limited below, Petitioner, Elaine L. Chao, Secretary of Labor, United States Department of Labor ("DOL") shall not disclose to anyone outside the DOL including, without limitation, parties or counsel in the action entitled *Johnson, et al. v. Couturier, et al.*, U.S. District Court, E.D. Cal. Case No. 2:05-cv-02046 consolidated with *Stanton v. Couturier, et al.*, U.S. District Court, E.D. Cal. Case No. 2:07-cv-01208, any of the following documents or information that may be produced by Respondent pursuant to Paragraphs 1(d)(1)-(4) of this Court's Order entered on October 7, 2008 (Docket #20):

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2 (a) Documents relating to the release of TEOHC shares to Respondent's Pensco IRA

3 account;

4 (b) documents relating to the repurchase of TEOHC shares from Respondent's Pensco

5 IRA account;

6 (c) Documents relating to any other property held in the Pensco IRA account that was

7 conveyed to TEOHC as part of the consideration for the \$26 million payment;

8 (d) To the extent the Payment is no longer in the Pensco IRA account, Respondent

9 shall disclose to the Petitioner the identity of the investment firm(s) and

10 investment manager(s) to which the Payment was first transferred. To the extent

11 the Payment remains in Respondent's Pensco IRA account, Respondent shall

12 disclose the identity of the investment manager(s) by which the Payment was first

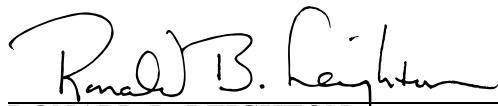
13 managed (the "Financial Information").

14 Nothing in this Order will prevent the Secretary from communicating with other federal

15 agencies pursuant to her statutory and/or regulatory mandate.

16 **IT IS SO ORDERED.**

17 DATED: October 17, 2008

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19 
20 RONALD B. LEIGHTON
21 UNITED STATES DISTRICT JUDGE